

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

v.

No. 10-CR-320
(TJM)

ED GEORGE PARENTEAU,

Defendant.

**DAVID R. HOMER
U.S. MAGISTRATE JUDGE**

REPORT-RECOMMENDATION AND ORDER

An order was entered directing the examination of defendant Ed George Parenteau ("Parenteau") pursuant to 42 U.S.C. §§ 4241 and 4247 to determine if he is mentally competent to stand trial and to conduct and participate in the preparation of his own defense.¹ In a report dated September 19, 2010 following such examination, a psychologist at the Metropolitan Correctional Center in New York City concluded that Parenteau is presently mentally competent. That report is incorporated herein by reference.² A hearing was held on-the-record on October 7, 2010 with both parties at which both parties accepted the conclusions set forth in the report. Accordingly, good cause appearing and without objection, it is hereby

RECOMMENDED pursuant to 18 U.S.C. § 4241(d) that defendant Ed George Parenteau be found competent to stand trial.

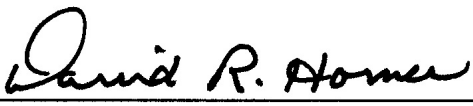
Pursuant to 28 U.S.C. § 636(b)(1), the parties have fourteen (14) days within which

¹This matter was referred to the undersigned for report and recommendation pursuant to 28 U.S.C. § 636(b) and N.D.N.Y.L.R. (Criminal) 58.1(a)(2)(L).

²The Clerk is directed to file the report under seal.

to file written objections to the foregoing report. Such objections shall be filed with the Clerk of the Court. **FAILURE TO OBJECT TO THIS REPORT WITHIN FOURTEEN (14) DAYS WILL PRECLUDE APPELLATE REVIEW.** Roldan v. Racette, 984 F.2d 85, 89 (2d Cir. 1993) (citing Small v. Sec'y of Health and Human Servs., 892 F.2d 15 (2d Cir. 1989)); see also 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72, 6(a), & 6(e).

DATED: October 7, 2010
Albany, New York



United States Magistrate Judge